

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

327

FAO-3246-1996 (O&M)
Date of Decision : 15.11.2018

Municipal Corporation, Ludhiana

....Appellant

vs.

M/s Shekhar Chand Jain and Co. and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: None for the appellant.

Mr. Amarbir Singh Pahwa, Advocate
for the respondents.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the Award dated 29.10.1993 passed by the Arbitrator-cum-Superintending Engineer Ludhiana Circle PWD, B&R, BR: Ludhiana.

Counsel for the respondents states that after the Award the respondent No.1 and 2 had filed one application for making the Award rule of Court while the appellant had filed objection. The objection were dismissed but the application of the respondents No.1 and 2 was allowed and the order was made rule of Court. Two appeals were filed one, bearing present FAO No.3246-1996 and other FAO No.3247-1996. By the time, the other appeal came up for hearing pecuniary jurisdiction lay with the District and Sessions Judge and that appeal was therefore remitted back for decision by the District and Sessions Judge on 3.3.2009. That appeal was dismissed by that Court and the appellant has made payment also. As per him, this

appeal has been rendered infructuous and probably that is why none has appeared for the appellant. On an earlier date, I issued notice to the appellant and notice was served upon him but none has turned up till today.

In the circumstances, the appeal stands dismissed in default.

Since the main case has been dismissed in default, the pending civil miscellaneous application, if any, also stands dismissed as such.

15.11.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No